

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Clifton Keith Christian, )  
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 )  
 Plaintiff, )  
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 )  
 v. )  
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 )  
 Michael J. Astrue, Commissioner )  
 of the Social Security Administration, )  
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 )  
 Defendant. )  
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**OPINION AND ORDER**

This matter is before the court upon motion of the Plaintiff, through his attorney, Beatrice E. Whitten, for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d) and the Social Security Act, 42 U.S.C. § 406(b). The record reflects that Plaintiff was the prevailing party in this action for social security disability benefits and supplemental security income, and his net worth is less than \$2 million. On May 22, 2012, Counsel for the Plaintiff Beatrice E. Whitten ("Counsel"), filed a motion for attorney's fees and costs [Doc. 21] pursuant to the Social Security Act, 42 U.S.C. § 406(b). The motion seeks reimbursement for Counsel's representation in the captioned matter in the amount of \$4,632.00 which amounts to less than twenty-five percent (25%) of the past-due benefits withheld by the Social Security Administration for attorney's fees. Defendant's response to Plaintiff's Motion for Attorney Fees under EAJA and 42 U.S.C. § 406(b) [Doc. 28] notifies the court that he does not oppose Plaintiff's request for fees in the amount stated herein pursuant to the EAJA.

The court has reviewed Counsel's fee petition and the signed fee agreement that was submitted with the petition, and finds Counsel's request for fees reasonable.

Therefore, the Plaintiff is entitled to an award of attorney's fees under the EAJA in the

amount of \$4,632.00 for costs and expenses.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read "J. Michelle Childs".

United States District Judge

Greenville, South Carolina  
July 25, 2012